THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.460 OF 1998

04.07.2006

Between:

B.Sudarshan Rao, S/o.late B.Venkat Rama Rao

… Petitioner

AND

The District Collector, Ranga Reddy District
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.460 OF 1998

ORDER:

The petitioner is resident of Yadaram Village of Medchal Mandal in Ranga Reddy District. He filed the instant writ petition seeking a writ of Mandamus declaring that the petitioner is entitled for allotment of land admeasuring Acs.5.10 guntas in survey No.150 of Yadaram Village.

It is the case of the petitioner that his ancestors occupied Government land in survey No.150 and they were enjoying the said land along with other private patta land in survey Nos.148 and 149 of Yadaram Village for over 60 years. When the right of the petitioner was disputed by the second respondent, the petitioner filed a suit being O.S.No.517 of 1997 on the file of the Court of I Additional Senior Civil Judge, Ranga Reddy District, for declaration of title and perpetual injunction. When the suit was pending, it appears, there was attempt by the revenue authorities to assign the land to third parties. Therefore, the present writ petition is filed.

The writ petition was admitted on 06.1.1998 and in spite of that no counter affidavit is filed. Be that as it is, during the hearing of the matter, learned Counsel for the petitioner brought to the notice of this Court that there are certain subsequent events, which have bearing on this case. It is submitted by the learned Counsel for the petitioner that when the matter is pending in this Court, his client has submitted a representation to A.P. Legal Services Authority, who in turn addressed a letter to the District Collector, Ranga reddy District, on 10.8.2001. The District Collector thereupon called for a report from the Mandal Revenue Officer, Medchal (MRO). After conducting enquiry, the MRO submitted a report in letter No.B/5126/2001 dated 31.10.2002 requesting the District Collector for settlement of the dispute before the Lok Adalat and allotment of the land to the petitioner on condition of paying Rs.60,000/- per acre. The matter is still pending with the District Collector. The writ petition was filed alleging that during the Lok Sabha elections in 1998 there was a threat of dispossession. The cause of action may not survive. However, having regard to the

subsequent events, the District Collector may consider the report of the MRO referred to herein above and take appropriate action in the matter. This exercise may be completed within a period of eight weeks from the date of receipt of a copy of this order. This does not preclude the petitioner to pursue the suit if the same is still pending.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

July 04, 2006
YS